

**Senate File 64 - Introduced**

SENATE FILE 64

BY McCLINTOCK

**A BILL FOR**

1 An Act relating to certain employees of the department of  
2 corrections, including collective bargaining, health  
3 insurance for a surviving spouse and children of certain  
4 employees of the department, and certain operational and  
5 employment matters involving the department, and including  
6 applicability provisions.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.3, subsection 11, Code 2023, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *g.* A nonsupervisory employee of the Iowa  
4 department of corrections with ongoing direct contact with  
5 inmates.

6 Sec. 2. Section 509A.13D, subsection 3, Code 2023, is  
7 amended to read as follows:

8 3. The governing body of the state shall ~~not~~ be required  
9 to pay for the full cost of the health insurance under this  
10 section; ~~however, the governing body of the state may pay the~~  
11 ~~full cost or a portion of the cost of the health insurance. If~~  
12 ~~the full cost or a portion of the cost of the coverage is not~~  
13 ~~paid by the governing body of the state, the surviving spouse~~  
14 ~~and each surviving child who is eligible for health insurance~~  
15 ~~under this section may elect to continue coverage by paying~~  
16 ~~that portion of the cost of the health insurance not paid by~~  
17 ~~the governing body of the state.~~

18 Sec. 3. Section 904.108, subsection 1, Code 2023, is amended  
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. *p.* Establish a training program for  
21 employees of the department with ongoing direct contact with  
22 inmates in self-defense and other de-escalation techniques when  
23 confronted with potentially violent interactions involving  
24 inmates. The training program shall include an in-person  
25 component.

26 NEW PARAGRAPH. *q.* Establish uniform safety practices to  
27 be implemented at all correctional institutions under the  
28 control of the department that provide guidelines designed to  
29 protect the safety of employees and inmates at correctional  
30 institutions.

31 NEW PARAGRAPH. *r.* Adopt rules to allow an employee of  
32 the department who has witnessed a trauma event to take  
33 between five and thirty days of paid leave depending upon the  
34 severity of the trauma event. If the appointing authority of a  
35 correctional institution determines that an employee has been

1 held hostage, the employee shall be eligible for a paid leave  
2 of absence of up to ninety days, as determined by a licensed  
3 physician, to allow for recovery from mental and physical  
4 stress and any related conditions. Such paid leave shall not  
5 be charged against the employee's sick leave account.

6 NEW PARAGRAPH. s. Establish protocols for allowing  
7 employees of the department with ongoing direct contact with  
8 inmates access to information identified in section 904.602,  
9 subsection 2, for purposes of the administration of the  
10 department's programs of services or assistance to inmates.

11 Sec. 4. NEW SECTION. 904.322 Contract employees — pay or  
12 benefits.

13 The department shall not enter into an employment contract  
14 with a person to perform a function of the department and  
15 provide the contract employee with pay or benefits in excess of  
16 pay and benefits provided an employee of the state performing  
17 similar work.

18 Sec. 5. APPLICABILITY. The section of this Act amending  
19 section 20.3 applies to collective bargaining procedures  
20 pursuant to chapter 20 initiated on or after the effective date  
21 of this Act.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill relates to the department of corrections.

26 Code section 20.3 is amended to designate nonsupervisory  
27 employees of the Iowa department of corrections with ongoing  
28 direct contact with inmates as public safety employees for the  
29 purposes of collective bargaining pursuant to Code chapter  
30 20, the public employment relations Act. Code chapters 20  
31 and 400 include collective bargaining procedures specifically  
32 applicable to public safety employees that are not applicable  
33 to other public employees, including procedures relating to  
34 the scope of collective bargaining negotiations, arbitration  
35 procedures, and certain matters relating to city civil service

1 employment. This provision applies to collective bargaining  
2 procedures pursuant to Code chapter 20 initiated on or after  
3 the effective date of the bill.

4 Code section 509A.13D, providing for continuation of health  
5 insurance coverage for a surviving spouse and children of  
6 certain department of corrections employees, is amended to  
7 provide that the state shall be required to pay the full  
8 cost of the health insurance. Current law provides that the  
9 state shall not be required to pay for the cost of the health  
10 insurance.

11 Code section 904.108, concerning duties of the director of  
12 the department of corrections, is amended. The bill requires  
13 the director to establish a training program for employees of  
14 the department with ongoing direct contact with inmates in  
15 self-defense and other de-escalation techniques when confronted  
16 with potentially violent interactions involving inmates,  
17 establish uniform safety practices to be implemented at all  
18 correctional institutions, adopt rules to allow an employee of  
19 the department who has witnessed a trauma event to take between  
20 five and 30 days of paid leave depending upon the severity of  
21 the trauma event and to allow an employee who has been held  
22 hostage up to 90 days of paid leave, and to establish protocols  
23 for allowing employees of the department with contact with  
24 inmates access to certain confidential information identified  
25 in Code section 904.602, subsection 2.

26 The bill also requires that the department of corrections  
27 shall not enter into an employment contract with a person to  
28 perform a function of the department that provides the contract  
29 employee with pay or benefits in excess of pay and benefits  
30 provided an employee of the state performing similar work.